

U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

February 20, 2008

BY FACSIMILE

The Honorable Robert P. Patterson
United States District Judge
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 2510
New York, NY 10007

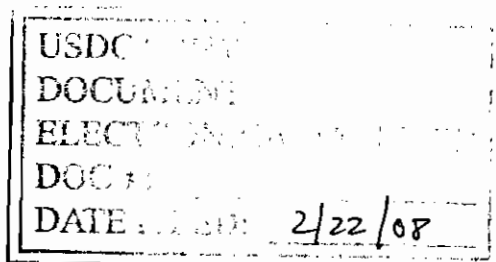
RECEIVED

Re: United States v. Joseph Deacon, et al.
07 Cr. 872 (RPP)

Dear Judge Patterson:

On behalf of the Government and defendant Joseph Deacon, I write to request that the audibility hearing currently scheduled for March 21, 2008 according to the docket sheet, be rescheduled for an earlier date. Subject to the Court's availability, both parties are available the morning of March 12, 2008. *AK P.S. * M*

The reason for the request is that defense counsel believes the docket sheet is in error, and that the Court scheduled an audibility hearing for February 21, 2008, rather than March 21, 2008. In any event, since the Government will be providing defense counsel with transcripts of the pertinent sections of the audio recordings on February 21, 2008 (tomorrow), defense counsel understandably does not wish to proceed tomorrow, but has requested an earlier date for the hearing than March 21, 2008.



*application granted
S. M. [unclear]
J. T. [unclear]
2-22-08*

The Honorable Robert P. Patterson
February 20, 2008
Page 2

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

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cc: Aubrey Lees, Esq. (counsel for Joseph Deacon)